

NOSSAMAN LLP
 FREDERIC A. FUDACZ (SBN 50546)
 ffudacz@nossaman.com
 BYRON GEE (SBN 190919)
 bgee@nossaman.com
 PATRICK J. RICHARD (SBN 131046)
 prichard@nossaman.com
 RAVEN McGUANE (SBN 336505)
 rmcguane@nossaman.com
 777 S. Figueroa Street, 34th Floor
 Los Angeles, CA 90017
 Telephone: 213.612.7800
 Facsimile: 213.612.7801

Attorneys for Plaintiff SANTA CLARITA VALLEY
 WATER AGENCY

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

SANTA CLARITA VALLEY WATER
 AGENCY,

Plaintiff,

vs.

WHITTAKER CORPORATION and
 DOES 1-10, Inclusive,

Defendant.

AND RELATED CASES

Case No: 2:18-cv-6825 SB (RAOx)

*Assigned to Hon. Stanley Blumenfeld,
 Jr.*

JOINT WITNESS LIST

Date Action Filed: August 8, 2018
 Trial Date: August 24, 2021

Pursuant to Federal Rule of Civil Procedure 26 and Local Rule 16, the Parties provide the following list of likely trial witnesses. The following witnesses will testify via portions of deposition testimony or to the extent available, via zoom and/or in-person testimony. Plaintiff's Proposed Witness List is attached hereto as Exhibit A. Plaintiffs may also present in their case-in-chief portions of deposition testimony from Whittaker's experts, depending on the scope of pre-trial rulings and other issues. Defendant objects to this. The Parties may amend this list to add or remove potential witnesses before or during trial. The nature of the testimony briefly described, its relevance and admissibility, and the time estimates provided are necessarily only guides, also subject to further revision.

This list of witnesses includes additions of Defendant Whittaker Corporation's likely trial witnesses. Defendant's Proposed Witness List is attached hereto as Exhibit B. In instances where Defendant included a likely trial witness not included in Plaintiff's list of witnesses, Plaintiff noted this difference with a footnote. Similarly, where Defendant and Plaintiff's total time estimates for a witness's testimony differed by more than 20 minutes, Plaintiff also noted this difference. The parties note that many of the witnesses appeared on both Plaintiff and Defendant's list of anticipated witnesses, including Abercrombie, Alvord, Daus, Dawson, Diaz, Hokkanen, Lechler, Luis, Mesard, Shoup, Steffey, and Stone. The parties will continue to discuss anticipated witnesses in advance of the pre-trial conference.

1. Keith Abercrombie	120 min. (90 min. direct/30 min. cross)
He will testify regarding the necessity for SCV Water to purchase replacement water, costs of replacement water, and the current state of well operations and impact	

of contamination on SCV Water supply and operations. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. As an employee of SCV Water with information relevant to SCV Water's claims, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.

2. Michael Alvord

120 min. (90 min. direct/30 min. cross)

He will testify regarding Division of Drinking Water well permitting and related to DDW permitting, the current state of well operations and impact of contamination on SCV Water supply and operations. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. As an employee of SCV Water with information relevant to Plaintiff's claims, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.

<p>3. Hassan Amini</p>	<p>60 min. (45 min. direct/15 min. cross/counter-designations)</p>
<p>He will testify via portions of deposition testimony regarding Whittaker's conduct concerning contamination of the Whittaker Site. Mr. Amini is a Whittaker consultant serving as program coordinator for investigation and remediation activities at the Whittaker Site. His testimony is relevant to establishing that a release occurred under CERCLA, contribution to contamination under RCRA, and causation for SCV Water's state common law claims. Therefore, his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.</p>	
<p>4. Steve Cole</p>	<p>180 min. (120 min. direct/60 min. cross)</p>
<p>He will testify regarding SCV Water's prior relations with Whittaker Corporation and operational aspects of SCV Water. His testimony is relevant to Plaintiff's CERCLA claims, RCRA</p>	

claim, and state common law claims.
FRE 402. As an employee of SCV
Water with information relevant to
SCV Water's claims, his testimony
is highly probative with no risk of
unfair prejudice, confusion of issues,
or waste of time. FRE 403.

5. Anthony Daus

120 min. (90 min. cross/30 min. direct)

He will testify as an adverse witness,
including by deposition, regarding
Whittaker's investigation and
remediation activities at the
Whittaker Site. His testimony is
relevant to Plaintiff's CERCLA
claims, RCRA claim, and state law
claims. FRE 402. Whittaker has
designated Daus as an expert to
opine on Whittaker's remediation
and investigation at the Whittaker
Site. If the Court allows Whittaker
to present Daus's opinions regarding
the Whittaker Site, then SCV
Water's presentation of his
testimony is highly probative and
does not present an issue of unfair
prejudice, confusion of issues, or
waste of time. FRE 403.

6. Gaynor Dawson	120 min. (90 min. cross/30 min. direct)
<p>He will testify as an adverse witness, including by deposition, regarding history of the Whittaker Site. His testimony is relevant to establishing that a release occurred under CERCLA, contribution to contamination under RCRA, and causation for SCV Water's state common law claims. FRE 402. He has been designated by Whittaker as both a 30(b)(6) witness on historic operation/releases and as an expert to opine on the operations and releases of chemicals resulting in contamination on the Whittaker Site. If the Court allows Whittaker to present Dawson's opinions regarding the Whittaker Site, then SCV Water's presentation of his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.</p>	
7. Jose Diaz	60 min. (45 min. direct/15 min. cross/counter-designations)

He will testify via portions of deposition testimony regarding DTSC oversight of the Whittaker Site. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. . FRE 402. As a DTSC official with information relevant to SCV Water's claims, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.

8. Gary Hokkanen

60 min. (45 min. cross/15 min. direct)¹

He will testify, including via portions of deposition testimony and related expert report, relating to contamination pathways from the Whittaker site to Plaintiff's wells, the hydrogeology of the area, the impact of Whittaker's onsite wells on offsite groundwater contamination, and related opinions. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE

¹ Defendant's estimate for time for testimony for Gary Hokkanen is 170 min. (140 min. direct/30 min. cross).

402. He has been designated by Whittaker as an expert to opine on the contamination pathways from the Whittaker site to Plaintiff's wells, the hydrogeology of the area, the impact of Whittaker's onsite wells on offsite groundwater contamination. If the Court allows Whittaker to present Hokkanen's opinions regarding the Whittaker Site, then SCV Water's presentation of his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.

9. Richard Hughto

240 min. (180 min. direct/60 min. cross)

He will testify consistent with his expert report and deposition, including opinions related to Whittaker's (pre-1987 closure) waste disposal practices, industry standards and regulatory history. His testimony is relevant to establishing that a release occurred under CERCLA, contribution to contamination under RCRA, and causation for SCV Water's state

common law claims. FRE 402. SCV Water has designated Mr. Hughto as its only expert witness regarding Whittaker's historical waste disposal practices, industry standards and regulatory history. Therefore, his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.

10. James Jisa

60 min. (45 min. direct/15 min. cross/counter-designations)

He will testify via portions of deposition testimony regarding historical disposal practices at the Whittaker Site. His testimony is relevant to establishing that a release occurred under CERCLA, contribution to contamination under RCRA, and causation for SCV Water's state common law claims. FRE 402. Mr. Jisa worked at the Whittaker Site and was a percipient witness to Whittaker's historical disposal practices. Therefore, his testimony is highly probative and

1	does not present an issue of unfair	
2	prejudice, confusion of issues, or	
3	waste of time. FRE 403.	
4	11. Jeffrey Koelewyn²	75 min. (55 min. direct/ 20 min.)
5	He will testify as a non-retained	
6	expert regarding Plaintiff's	
7	distribution system, sampling and	
8	testing methodology and results,	
9	frequency, and detections of VOCs	
10	at Plaintiff's wells and distribution	
11	system, blending, as well as	
12	knowledge particular to his role as	
13	Plaintiff's Regulatory Affairs	
14	Supervisor.	
15	12. Eric Lardiere	300 min. (240 min. cross./60 min. direct)
16	He will testify as an adverse witness	
17	regarding SCV Water's prior	
18	relations with Whittaker	
19	Corporation, conditions at the	
20	Whittaker Site, and related topics.	
21	His testimony is relevant to	
22	Plaintiff's CERCLA claims, RCRA	
23	claim, and state law claims. FRE	
24	402. Mr. Lardiere is president and	
25	secretary of Whittaker Corporation	
26	and is a percipient witness to SCV	
27		

² Defendant's addition to Plaintiff's Proposed Witness List.

Water's prior relations with Whittaker Corporation, conditions at the Whittaker Site, and related topics. He is the only Whittaker officer SCV Water intends to call as a witness. Therefore, his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.

13. BJ Lechler

60 min. (45 min. direct/15 min. cross/counter-designations)

He will testify via portions of deposition testimony regarding the investigation of VOC contamination. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. Mr. Lechler is a consultant supporting SCV Water in a technical capacity relating to groundwater and groundwater contamination and has nearly 20 years of experience working on issues related to contamination from the Whittaker Site. Therefore, his testimony is highly probative and does not

1	present an issue of unfair prejudice,	
2	confusion of issues, or waste of time.	
3	FRE 403.	
4	14. James Leserman³	40 min. (30 min. direct/10 min. cross)
5	He will testify regarding the	
6	remediation of the groundwater, the	
7	contamination of the distribution	
8	system and Plaintiff's future	
9	damages.	
10	15. Zoyd Luce	60 min. (45 min. direct/15 min.
11		cross/counter-designations)
12	He will testify via portions of	
13	deposition testimony regarding past	
14	environmental, health and safety	
15	practices at the Whittaker Site. His	
16	testimony is relevant to establishing	
17	that a release occurred under	
18	CERCLA, contribution to	
19	contamination under RCRA, and	
20	causation for SCV Water's state	
21	common law claims. FRE 402. Mr.	
22	Luce served as Whittaker's Manager	
23	of Safety and Security, worked at the	
24	Whittaker Site, and was a percipient	
25	witness to environmental, health and	
26	safety practices at the Whittaker Site.	
27		

³ Defendant's addition to Plaintiff's Proposed Witness List.

1	Therefore, his testimony is highly	
2	probative and does not present an	
3	issue of unfair prejudice, confusion	
4	of issues, or waste of time. FRE 403.	
5	16. Steven Luis	60 min. (45 min. direct/15 min.
6		cross/counter-designations)
7	He will testify as an adverse witness,	
8	including via portions of deposition	
9	testimony, regarding the issues	
10	covered in his expert report and	
11	deposition. His testimony is relevant	
12	to Plaintiff's CERCLA claims,	
13	RCRA claim, and state law claims.	
14	FRE 402. If the Court allows	
15	Whittaker to present Luis's opinions	
16	regarding the Whittaker Site, then	
17	SCV Water's presentation of his	
18	testimony is highly probative and	
19	does not present an issue of unfair	
20	prejudice, confusion of issues, or	
21	waste of time. FRE 403.	
22	17. Dan Masnada	120 min. (90 min. direct/30 min. cross)
23	He will testify regarding aspects of	
24	the history of SCV Water's site and	
25	response to groundwater	
26	contamination and communications	
27	with Whittaker. His testimony is	
28		

relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. Mr. Masnada is former General Manager of SCV Water's predecessor, Castaic Lake Water Agency, and was a percipient witness to SCV Water's response to groundwater contamination and communications with Whittaker. Therefore, his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.

18. Peter Mesard

60 min. (45 min. cross/15 min. direct/counter-designations)

He will testify as an adverse witness, including via portions of deposition testimony, regarding the issues covered in his expert report and deposition. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. If the Court allows Whittaker to present Mesard's opinions regarding the Whittaker Site, then SCV Water's presentation

1	of his testimony is highly probative	
2	and does not present an issue of	
3	unfair prejudice, confusion of issues,	
4	or waste of time. FRE 403.	
5	19. Issam Najm	180 min. (120 min. direct/60 min. cross)
6	He will provide expert testimony	
7	regarding the treatment system	
8	requirements to address volatile	
9	organic compounds (“VOCs”) and	
10	perchlorate contamination. His	
11	testimony is relevant to Plaintiff’s	
12	CERCLA claims, RCRA claim, and	
13	state law claims. FRE 402. Dr.	
14	Najm is SCV Water’s only living	
15	expert testifying regarding the	
16	treatment system to address VOCs	
17	and perchlorate contamination.	
18	Therefore, his testimony is highly	
19	probative and does not present an	
20	issue of unfair prejudice, confusion	
21	of issues, or waste of time. FRE	
22	403.	
23	20. Jeffrey O’Keefe	60 min. (45 min. direct/15 min.
24		cross/counter-designations)
25	He will testify via portions of	
26	deposition testimony regarding	
27	DDW well permitting. His	
28		

1 testimony is relevant to Plaintiff's
2 CERCLA claims, RCRA claim, and
3 state common law claims. FRE 402.
4 As a DDW official with information
5 relevant to Plaintiff's claims, his
6 testimony is highly probative with
7 no risk of unfair prejudice, confusion
8 of issues, or waste of time. FRE
9 403.

10 **21. Bradley Peach**

11 **60 min.** (45 min. direct/15 min.
12 cross/counter-designations)

13 He will testify via portions of prior
14 deposition testimony regarding
15 Whittaker's historical
16 manufacturing, storage, and releases
17 of hazardous substances on the
18 Whittaker Site. His testimony is
19 relevant to Plaintiff's CERCLA
20 claims, RCRA claim, and state law
21 claims. FRE 402. He was a
22 percipient witness to Whittaker's
23 historical actions with regard to
24 hazardous substances on the
25 Whittaker Site. Therefore, his
26 testimony is highly probative with
27 no risk of unfair prejudice, confusion

1	of issues, or waste of time. FRE	
2	403.	
3	22. John Peloquin	60 min. (45 min. direct/15 min.
4		cross/counter-designations)
5	He will testify via portions of prior	
6	deposition testimony regarding	
7	Whittaker's historical	
8	manufacturing, storage and disposal	
9	of hazardous substances on the	
10	Whittaker Site. His testimony is	
11	relevant to Plaintiff's CERCLA	
12	claims, RCRA claim, and state law	
13	claims. FRE 402. He was a	
14	percipient witness to Whittaker's	
15	historical actions with regard to	
16	hazardous substances on the	
17	Whittaker Site. Therefore, his	
18	testimony is highly probative with	
19	no risk of unfair prejudice, confusion	
20	of issues, or waste of time. FRE	
21	403.	
22	23. Daniel Shoup	90 min. (60 min. cross/30 min. direct)
23	He will testify as an adverse witness,	
24	including via deposition testimony,	
25	regarding Whittaker's historical	
26	manufacturing and storage of	
27	hazardous substances on the	
28		

Whittaker Site. His testimony is relevant to establishing that a release occurred under CERCLA, contribution to contamination under RCRA, and causation for SCV Water's state common law claims. FRE 402. If the Court allows Whittaker to present Shoup's opinions regarding the Whittaker Site, then SCV Water's presentation of his testimony is highly probative and does not present an issue of unfair prejudice, confusion of issues, or waste of time. FRE 403.

24. Duane Steffey

90 min. (60 min. cross/30 min. direct)

He will testify as an adverse witness, including via deposition testimony, regarding detection of VOCs at SCV Water's wells. His testimony is relevant to establishing SCV Water's RCRA claim, CERCLA claims, and state law claims. FRE 402. If the Court allows Whittaker to present Steffey's opinions regarding detection of VOCs, then SCV Water's presentation of his testimony is highly probative and

1	does not present an issue of unfair	
2	prejudice, confusion of issues, or	
3	waste of time. FRE 403.	
4	25. Archie Simmons	60 min. (45 min. direct/15 min.
5		cross/counter-designations)
6	He will testify regarding Whittaker's	
7	historical practices, regulatory	
8	interactions and removal and	
9	remedial actions at the Whittaker	
10	Site. Witness is deceased and will	
11	testify via portions of deposition	
12	testimony. His testimony is relevant	
13	to Plaintiff's CERCLA claims,	
14	RCRA claim, and state law claims.	
15	FRE 402. He was a percipient	
16	witness to Whittaker's historical	
17	actions with regard to hazardous	
18	substances on the Whittaker Site.	
19	Therefore, his testimony is highly	
20	probative with no risk of unfair	
21	prejudice, confusion of issues, or	
22	waste of time. FRE 403.	
23	26. Tim Simpson	90 min. (60 min. cross/30 min. direct)
24	He will testify as an adverse witness,	
25	including via deposition testimony,	
26	regarding Whittaker's interactions	
27	with SCV Water and regulators	
28		

concerning the Whittaker Site and offsite contamination. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. He is Whittaker's representative in implementing the settlement agreement between SCV Water and Whittaker and is percipient witness to interactions between the parties regarding contamination from the Whittaker Site.	
27. Richard Slade⁴	45 min. (30 min. direct/15 min. cross)
He will testify as Plaintiff's FRCP 30(b)(6) witness, via deposition and/or live, about Plaintiff's decision making in the siting of their wells.	
28. Alan Sorsher	90 min. (60 min. direct/30 min. cross/counter-designations)
He will testify via portions of deposition testimony and/or remotely regarding Whittaker's historical practices and regulatory interactions. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law	

⁴ Defendant's addition to Plaintiff's Proposed Witness List.

claims. FRE 402. He was a percipient witness to Whittaker's historical practices and regulatory interactions. Therefore, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.

29. Phyllis Stanin

300 min. (240 min. direct/60 min. cross)

She will testify consistent with her expert report and deposition, including expert opinions related to contamination pathways from the Whittaker site to Plaintiff's wells, the hydrogeology of the area, the impact of Whittaker's onsite wells on offsite groundwater contamination, and related opinions. Her testimony is relevant to establishing SCV Water's RCRA claim, CERCLA claims, and state law claims. FRE 402. Dr. Stanin is the only SCV Water expert testifying regarding contamination pathways and the impact of Whittaker's onsite wells on offsite groundwater contamination. Therefore, her

1	testimony is highly probative with	
2	no risk of unfair prejudice, confusion	
3	of issues, or waste of time. FRE	
4	403.	
5	30. Matt Stone	120 min. (90 min. direct/30 min. cross) ⁵
6	He will testify regarding SCV	
7	Water's organizational structural and	
8	processes, including	
9	communications and dealings with	
10	Whittaker. His testimony is relevant	
11	to Plaintiff's CERCLA claims,	
12	RCRA claim, and state law claims.	
13	FRE 402. He is an employee of	
14	SCV Water and percipient witness to	
15	SCV Water's communications and	
16	dealings with Whittaker. Therefore,	
17	his testimony is highly probative	
18	with no risk of unfair prejudice,	
19	confusion of issues, or waste of time.	
20	FRE 403.	
21	31. Lynn Takaichi	20 min. (deposition designations)
22	He will testify via deposition about	
23	the speculative nature of Plaintiff's	
24	damages as well as other matters	
25	raised in his deposition.	
26		

⁵ Defendant's time estimate for testimony of Matt Stone is 50 min. (35 min. direct/15 min. cross).

32. Christopher Thompson	60 min. (45 min. direct/15 min. cross/counter-designations)
He will testify via portions of deposition testimony and/or remotely regarding removal and remedial actions at the Whittaker Site, interactions with the regulators, and related topics. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. He was a percipient witness to Whittaker's removal and remedial actions at the Whittaker Site and interactions with the regulators with regard to hazardous substances on the Whittaker Site. Therefore, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.	
33. Mark Trudell	240 min. (180 min. direct/60 min. cross)
He will testify consistent with his expert report and deposition, including as to the source(s) of VOC contamination found in Plaintiff's wells as well as transport	

<p>characteristics of VOCs. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. Dr. Trudell is the only SCV Water expert testifying regarding the source(s) of VOC contamination found in Plaintiff's wells as well as transport characteristics of VOCs. Therefore, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.</p>	
<p>34. Norman Wenck</p>	<p>60 min. (45 min. direct/15 min. cross/counter-designations)</p>
<p>He will testify regarding the removal and remedial actions at the Whittaker Site. Witness is deceased and will testify via portions of deposition testimony. His testimony is relevant to Plaintiff's CERCLA claims, RCRA claim, and state law claims. FRE 402. He was a percipient witness to Whittaker's removal and remedial actions. Therefore, his testimony is highly probative with no risk of unfair</p>	

prejudice, confusion of issues, or waste of time. FRE 403.	
35. Jeffrey Zelikson	180 min. (120 min. direct/60 min. cross)
He will testify consistent with his expert report and deposition, focusing on explaining industry and regulatory practices, and SCV Water's practices, relevant to the meaning of substantial consistency with the National Contingency Plan and the hazardous nature of perchlorate, trichloroethylene ("TCE"), and tetrachloroethylene ("PCE"). His testimony is relevant to establishing the NCP compliance element of SCV Water's CERCLA claim, as well as SCV Water's state common law claims. FRE 402. He is SCV Water's only expert testifying regarding SCV Water's practices in light of NCP requirements and explaining industry and regulatory practices. Therefore, his testimony is highly probative with no risk of unfair prejudice, confusion of issues, or waste of time. FRE 403.	

1
2 Date: July 9, 2021

NOSSAMAN LLP
FREDERIC A. FUDACZ
BYRON GEE
PATRICK J. RICHARD
RAVEN McGUANE

3
4
5
6 By: /s/ Byron Gee

Byron Gee
Attorneys for Plaintiff SANTA
CLARITA VALLEY WATER
AGENCY
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

1 NOSSAMAN LLP
2 FREDERIC A. FUDACZ (SBN 50546)
3 ffudacz@nossaman.com
4 BYRON GEE (SBN 190919)
5 bgee@nossaman.com
6 PATRICK J. RICHARD (SBN 131046)
7 prichard@nossaman.com
8 RAVEN McGUANE (SBN 336505)
9 rmcguane@nossaman.com
10 777 S. Figueroa Street, 34th Floor
11 Los Angeles, CA 90017
12 Telephone: 213.612.7800
13 Facsimile: 213.612.7801

14 Attorneys for Plaintiff SANTA CLARITA VALLEY
15 WATER AGENCY

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 SANTA CLARITA VALLEY WATER
19 AGENCY,

20 Plaintiff,

21 vs.

22 WHITTAKER CORPORATION and
23 DOES 1-10, Inclusive,

24 Defendant.

25 AND RELATED CASES

Case No: 2:18-cv-6825 SB (RAOx)

*Assigned to Hon. Stanley Blumenfeld,
Jr.*

PLAINTIFF'S WITNESS LIST

Date Action Filed: August 8, 2018
Trial Date: August 24, 2021

Pursuant to Federal Rule of Civil Procedure 26 and Local Rule 16, Plaintiff Santa Clarita Valley Water Agency (“SCV Water”) provides the following list of likely trial witnesses for Plaintiff’s case-in-chief. The following witnesses will testify via portions of deposition testimony or to the extent available, via zoom and/or in-person testimony. Plaintiffs may also present in their case-in-chief portions of deposition testimony from Whittaker’s experts, depending on the scope of pre-trial rulings and other issues. Plaintiff may amend this list to add or remove potential witnesses before or during trial. The nature of the testimony briefly described and the time estimates provided are necessarily only guides, also subject to further revision.

1. Keith Abercrombie	120 min. (90 min. direct/30 min. cross)
He will testify regarding the necessity for SCV Water to purchase replacement water, costs of replacement water, and the current state of well operations and impact of contamination on SCV Water supply and operations.	
2. Michael Alvord	120 min. (90 min. direct/30 min. cross)
He will testify regarding Division of Drinking Water well permitting and related to DDW permitting, the current state of well operations and impact of contamination on SCV Water supply and operations.	
3. Hassan Amini	60 min. (45 min. direct/15 min. cross/counter-designations)

1	He will testify via portions of	
2	deposition testimony regarding	
3	Whittaker's conduct concerning	
4	contamination of the Whittaker Site.	
5	4. Steve Cole	180 min. (120 min. direct/60 min. cross)
6	He will testify regarding SCV	
7	Water's prior relations with	
8	Whittaker Corporation and	
9	operational aspects of SCV Water.	
10	5. Gaynor Dawson	120 min. (90 min. cross/30 min. direct)
11	He will testify as an adverse witness,	
12	including by deposition, regarding	
13	history of the Whittaker Site.	
14	6. Jose Diaz	60 min. (45 min. direct/15 min.
15		cross/counter-designations)
16	He will testify via portions of	
17	deposition testimony regarding	
18	DTSC oversight of the Whittaker	
19	Site.	
20	7. Gary Hokkanen	60 min. (45 min. cross/15 min. direct)
21	He will testify, including via	
22	portions of deposition testimony and	
23	related expert report, relating to	
24	contamination pathways from the	
25	Whittaker site to Plaintiff's wells,	
26	the hydrogeology of the area, the	
27	impact of Whittaker's onsite wells	
28		

1	on offsite groundwater	
2	contamination, and related opinions.	
3	8. Richard Hughto	240 min. (180 min. direct/60 min. cross)
4	He will testify consistent with his	
5	expert report and deposition,	
6	including opinions related to	
7	Whittaker's (pre-1987 closure) waste	
8	disposal practices, industry standards	
9	and regulatory history.	
10	9. James Jisa	60 min. (45 min. direct/15 min.
11		cross/counter-designations)
12	He will testify via portions of	
13	deposition testimony regarding	
14	historical disposal practices at the	
15	Whittaker Site.	
16	10. Eric Lardiere	300 min. (240 min. cross./60 min. direct)
17	He will testify as an adverse witness	
18	regarding SCV Water's prior	
19	relations with Whittaker	
20	Corporation, conditions at the	
21	Whittaker Site, and related topics.	
22	11. BJ Lechler	60 min. (45 min. direct/15 min.
23		cross/counter-designations)
24	He will testify via portions of	
25	deposition testimony regarding the	
26	investigation of VOC contamination.	
27		
28		

1	12. Zoyd Luce	60 min. (45 min. direct/15 min. cross/counter-designations)
2		
3	He will testify via portions of	
4	deposition testimony regarding past	
5	environmental, health and safety	
6	practices at the Whittaker Site.	
7	13. Steven Luis	60 min. (45 min. direct/15 min. cross/counter-designations)
8		
9	He will testify as an adverse witness,	
10	including via portions of deposition	
11	testimony, regarding the issues	
12	covered in his expert report and	
13	deposition.	
14	14. Dan Masnada	120 min. (90 min. direct/30 min. cross)
15		
16	He will testify regarding aspects of	
17	the history of SCV Water's site and	
18	response to groundwater	
19	contamination and communications	
20	with Whittaker.	
21	15. Peter Mesard	60 min. (45 min. cross/15 min. direct/counter-designations)
22		
23	He will testify as an adverse witness,	
24	including via portions of deposition	
25	testimony, regarding the issues	
26	covered in his expert report and	
27	deposition.	
28	16. Issam Najm	180 min. (120 min. direct/60 min. cross)

1	He will provide expert testimony	
2	regarding the treatment system	
3	requirements to address volatile	
4	organic compounds (“VOCs”) and	
5	perchlorate contamination.	
6	17. Jeffrey O’Keefe	60 min. (45 min. direct/15 min.
7		cross/counter-designations)
8	He will testify via portions of	
9	deposition testimony regarding	
10	DDW well permitting.	
11	18. Bradley Peach	60 min. (45 min. direct/15 min.
12		cross/counter-designations)
13	He will testify via portions of prior	
14	deposition testimony regarding	
15	Whittaker’s historical	
16	manufacturing, storage, and releases	
17	of hazardous substances on the	
18	Whittaker Site.	
19	19. John Peloquin	60 min. (45 min. direct/15 min.
20		cross/counter-designations)
21	He will testify via portions of prior	
22	deposition testimony regarding	
23	Whittaker’s historical	
24	manufacturing, storage and disposal	
25	of hazardous substances on the	
26	Whittaker Site.	
27	20. Daniel Shoup	90 min. (60 min. cross/30 min. direct)
28		

1	He will testify as an adverse witness,	
2	including via deposition testimony,	
3	regarding Whittaker's historical	
4	manufacturing and storage of	
5	hazardous substances on the	
6	Whittaker Site.	
7	21. Archie Simmons	60 min. (45 min. direct/15 min.
8		cross/counter-designations)
9	He will testify via portions of	
10	deposition testimony regarding	
11	Whittaker's historical practices,	
12	regulatory interactions and removal	
13	and remedial actions at the	
14	Whittaker Site.	
15	22. Alan Sorsher	90 min. (60 min. direct/30 min.
16		cross/counter-designations)
17	He will testify via portions of	
18	deposition testimony and/or	
19	remotely regarding Whittaker's	
20	historical practices and regulatory	
21	interactions.	
22	23. Phyllis Stanin	300 min. (240 min. direct/60 min. cross)
23	She will testify consistent with her	
24	expert report and deposition,	
25	including expert opinions related to	
26	contamination pathways from the	
27	Whittaker site to Plaintiff's wells,	
28		

1	the hydrogeology of the area, the	
2	impact of Whittaker's onsite wells	
3	on offsite groundwater	
4	contamination, and related opinions.	
5	24. Matt Stone	120 min. (90 min. direct/30 min. cross)
6	He will testify regarding SCV	
7	Water's organizational structural and	
8	processes, including	
9	communications and dealings with	
10	Whittaker.	
11	25. Christopher Thompson	60 min. (45 min. direct/15 min.
12		cross/counter-designations)
13	He will testify via portions of	
14	deposition testimony and/or	
15	remotely regarding removal and	
16	remedial actions at the Whittaker	
17	Site, interactions with the regulators,	
18	and related topics.	
19	26. Mark Trudell	240 min. (180 min. direct/60 min. cross)
20	He will testify consistent with his	
21	expert report and deposition,	
22	including as to the source(s) of VOC	
23	contamination found in Plaintiff's	
24	wells as well as transport	
25	characteristics of VOCs.	
26	27. Norman Wenck	60 min. (45 min. direct/15 min.
27		cross/counter-designations)
28		

1 2 3 4 5 6	He will testify via portions of deposition testimony and/or remotely regarding the removal and remedial actions at the Whittaker Site.	
7	28. Jeffrey Zelikson	180 min. (120 min. direct/60 min. cross)
8 9 10 11 12 13 14 15 16 17 18	He will testify consistent with his expert report and deposition, focusing on explaining industry and regulatory practices, and SCV Water's practices, relevant to the meaning of substantial consistency with the National Contingency Plan and the hazardous nature of perchlorate, trichloroethylene ("TCE"), and tetrachloroethylene ("PCE").	

1 Date: July 2, 2021

2 NOSSAMAN LLP
3 FREDERIC A. FUDACZ
4 BYRON GEE
5 PATRICK J. RICHARD
6 RAVEN McGUANE

7 By: /s/ Raven McGuane

8 Raven McGuane
9 Attorneys for Plaintiff SANTA
10 CLARITA VALLEY WATER
11 AGENCY
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT B

FRED M. BLUM, ESQ. (SBN101586)
fblum@behblaw.com
MICHAEL E. GALLAGHER, ESQ. (SBN 195592)
mgallagher@behblaw.com
EARL L. HAGSTROM (SBN 150958)
ehagstrom@behblaw.com
CHRISTOPHER DOW, ESQ. (SBN 250032)
agritzer@behblaw.com
BASSI, EDLIN, HUIE & BLUM LLP
500 Washington Street, Suite 700
San Francisco, CA 94111
Telephone: (415) 397-9006
Facsimile: (415) 397-1339

Attorneys for Defendant
AND THIRD-PARTY PLAINTIFF WHITTAKER CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SANTA CLARITA VALLEY WATER AGENCY,)	Case No. 2:18-cv-6825-GW (RAOx)
Plaintiffs,)	DEFENDANT AND CROSS-
vs.)	CLAIMANT WITNESS LIST
WHITTAKER CORPORATION,)	
Defendants.)	

3158130

Pursuant to Federal Rule of Civil Procedure 26 and Local Rule 16, Plaintiff WHITTAKER CORPORATION (“Whittaker”) provides its list of likely trial witnesses for their case-in-chief. The following witnesses may testify via portions of deposition testimony or to the extent available, via zoom and/or in-person testimony. Whittaker may also present in their case-in-chief portions of deposition testimony from Plaintiff’s experts, depending on the scope of pre-trial rulings and other issues. Whittaker may amend this list to add or remove potential witnesses before or during trial. The nature of the testimony briefly described and the time estimates provided are necessarily only guides, also subject to further revision.

1. Keith Abercrombie	120 min. (90 min. direct/30 min. cross)
He will testify regarding the speculative nature of Plaintiff’s damages as well as sources of water for Plaintiff.	
2. Michael Alvord	130 min. (100 min. direct/30 min. cross)
He will testify regarding procedures used by Plaintiff, including testing, to insure that contaminants do not contaminate their water supply system, as well as the nature of probability of damages, including confirming that future damages are speculative.	
3. Anthony Daus	120 minutes (90 direct/30 cross)

3158130

1	He will testify regarding the	
2	investigation and remediation of the	
3	Whittaker-Bermite property and its	
4	effect on the fate and transport of	
5	contaminants as well as other	
6	matters raised in his report and	
7	deposition.	
8	4. Gaynor Dawson	140 min. (110 min. direct/30 min. cross)
9	He will testify as an expert as well as	
10	Whittaker's FRCP 30(b)(6) witness	
11	as to the history and the standard of	
12	care for the operation of the	
13	Whittaker Site as well as whether	
14	Whittaker complied with the	
15	standard of care.	
16	5. Jose Diaz	40 min. (30 min. direct/10 min.)
17	He will testify via portions of	
18	deposition testimony and/or live	
19	regarding DTSC oversight of the	
20	Whittaker Site as well as DTSC's	
21	future plans.	
22	6. Meredith Durant	30 min (deposition designations)
23	She will testify via deposition	
24	regarding Plaintiff's knowledge	
25	regarding the state of the	
26		
27		
28		

3158130

1	contamination and their	
2	representations to the Department of	
3	Drinking Water.	
4	7. Gary Hokkanen	170 min. (140 min. direct/30 min. cross)
5	He will testify regarding	
6	contamination pathways from the	
7	Whittaker site to Plaintiff's wells,	
8	the hydrogeology of the area, the	
9	impact of Whittaker's onsite wells	
10	on offsite groundwater	
11	contamination, and related opinions.	
12		
13	8. Jeffrey Koelewyn	75 min. (55 min. direct/20 min)
14	He will testify as a non-retained	
15	expert regarding Plaintiff's	
16	distribution system, sampling and	
17	testing methodology and results,	
18	frequency, and detections of VOCs	
19	at Plaintiff's wells and distribution	
20	system, blending, as well as	
21	knowledge particular to his role as	
22	Plaintiff's Regulatory Affairs	
23	Supervisor.	
24		
25	9. BJ Lechler	60 min. (45 min. direct/15 min)
26	He will testify, as a non-retained	
27	expert for Whittaker, via portions of	
28		

3158130

deposition and/or live regarding his investigations at the site and the conclusions that he reached.	
10. James Leserman	40 min. (30 min. direct/10 min.)
He will testify regarding the remediation of the groundwater, the contamination of the distribution system and Plaintiff's future damages.	
11. Steven Luis	40 min. (30 min. direct/10 min.)
He will testify as an expert witness, regarding the issues covered in his expert report and deposition.	
12. Peter Mesard	
He will testify regarding Plaintiff's purported adherence to and compliance with the National Contingency Plan and whether Plaintiff can show that a CERCLA quality clean up can be achieved as well as issues covered in his expert report and deposition.	
13. Daniel Shoup	70 min. (50 min. direct/20 min. cross)

3158130

1	He will testify as an expert witness	
2	regarding the issues covered in his	
3	expert report and deposition.	
4	14. Richard Slade	45 min. (30 min. direct/15 min. cross)
5	He will testify as Plaintiff's FRCP	
6	30(b)(6) witness, via deposition	
7	and/or live, about Plaintiff's decision	
8	making in the siting of their wells.	
9	15. Duane Steffey	70 min. (50 min. direct/20 min. cross)
10	He will rebut Plaintiff's experts'	
11	conclusions that the contamination in	
12	Plaintiff's delivery system is the	
13	result of the conduct of Whittaker as	
14	well as other issues covered in his	
15	expert report and deposition.	
16	As well as whether the data used by	
17	the other experts supports the	
18	conclusions reached by the experts.	
19	16. Matt Stone	50 min. (35 min. direct/15 min. cross)
20	He will testify regarding the	
21	speculative nature of future	
22	damages.	
23	17. Lynn Takaichi	20 min (deposition designations)
24	He will testify via deposition about	
25	the speculative nature of Plaintiff's	
26		
27		
28		

3158130

1 damages as well as other matters
2 raised in his deposition.

3
4
5
6
7
8
9
10
11
12
13
14 Date: July 4, 2021

BASSI, EDLIN, HUIE & BLUM LLP

15
16
17 By: _____
18 FRED BLUM
19 Attorneys for Defendant
20 AND THIRD-PARTY PLAINTIFF
21 WHITTAKER CORPORATION
22
23
24
25
26
27
28

3158130